

BOIES, SCHILLER & FLEXNER LLP  
 RICHARD J. POCKER (NV Bar No. 3568)  
 300 South Fourth Street, Suite 800  
 Las Vegas, NV 89101  
 Telephone: (702) 382-7300  
 Facsimile: (702) 382-2755  
 rpocker@bsfllp.com

BOIES, SCHILLER & FLEXNER LLP  
 WILLIAM ISAACSON (*pro hac vice*)  
 KAREN DUNN (*pro hac vice*)  
 5301 Wisconsin Ave, NW  
 Washington, DC 20015  
 Telephone: (202) 237-2727  
 Facsimile: (202) 237-6131  
 wisaacson@bsfllp.com  
 kdunn@bsfllp.com

BOIES, SCHILLER & FLEXNER LLP  
 STEVEN C. HOLTZMAN (*pro hac vice*)  
 1999 Harrison Street, Suite 900  
 Oakland, CA 94612  
 Telephone: (510) 874-1000  
 Facsimile: (510) 874-1460  
 sholtzman@bsfllp.com

Attorneys for Plaintiffs  
 Oracle USA, Inc., Oracle America, Inc., and  
 Oracle International Corp.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;  
 ORACLE AMERICA, INC., a Delaware  
 corporation; and ORACLE INTERNATIONAL  
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;  
 AND SETH RAVIN, an individual,

Defendants.

MORGAN, LEWIS & BOCKIUS LLP  
 THOMAS S. HIXSON (*pro hac vice*)  
 KRISTEN A. PALUMBO (*pro hac vice*)  
 One Market, Spear Street Tower  
 San Francisco, CA 94105  
 Telephone: 415.442.1000  
 Facsimile: 415.442.1001  
 thomas.hixson@morganlewis.com  
 kristen.palumbo@morganlewis.com

DORIAN DALEY (*pro hac vice*)  
 DEBORAH K. MILLER (*pro hac vice*)  
 JAMES C. MAROULIS (*pro hac vice*)  
 ORACLE CORPORATION  
 500 Oracle Parkway, M/S 5op7  
 Redwood City, CA 94070  
 Telephone: 650.506.4846  
 Facsimile: 650.506.7114  
 dorian.daley@oracle.com  
 deborah.miller@oracle.com  
 jim.maroulis@oracle.com

Case No. 2:10-cv-0106-LRH-PAL

**ORACLE'S REPLY IN SUPPORT OF  
 ITS MOTION FOR LEAVE TO  
 SUPPLEMENT ITS MOTION FOR  
 COSTS AND ATTORNEYS' FEES**

Oracle's motion seeks to update its costs and fees request with amounts Oracle undisputedly spent to prosecute its claims. Rimini does not claim that Oracle is not entitled to reimbursement of those expenses, nor can it. Instead, Rimini opposes Oracle's motion with conclusory arguments having no merit.

Without explanation, Rimini first claims that Oracle failed to show good cause to amend the October 22, 2015 order setting the schedule for briefing on post-trial motions.<sup>1</sup> But that order did not eliminate, or even address, Oracle's substantive right to claim post-trial costs and fees. Regardless, there is good cause for Oracle's motion. As Oracle explained, it was not practicable to include Oracle's October/November 2015 expenses in Oracle's initial fee request.

Rimini's claim of prejudice also falls flat. Rimini acknowledges that the Court's expanded briefing schedule – granted at Rimini's request – allows Rimini time to “include argument on [its] objections [to Oracle's supplement] in its February 12, 2016 [] submission ....” Opp. at 1. Rimini received 60 extra days to oppose Oracle's fees and costs request. Dkts. 941, 946. It cannot now complain this extra time gave Oracle's attorneys the ability to process and finalize their October/November 2015 bills, and for Oracle to approve them.

Oracle respectfully requests that the Court disregard Rimini's unsupported claims of prejudice and permit Oracle to supplement its motion for costs and attorneys' fees with the recoverable costs and fees that Oracle legitimately incurred in October/November 2015.

Dated: February 4, 2016

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Thomas S. Hixson  
 Thomas S. Hixson  
 Attorneys for Plaintiffs  
 Oracle USA, Inc.,  
 Oracle America, Inc. and  
 Oracle International Corporation

<sup>1</sup> Rimini also wrongly characterizes the October 22, 2105 order as a Rule 16 “scheduling order.” Opp. at 1. It is not. The Rule 16 scheduling orders in this case were issued by Magistrate Judge Leen. *See, e.g.*, Dkt. 109. The Court's October 22 order set a schedule for post-trial briefing but did not purport to cover the topics required to be addressed by a Rule 16 scheduling order. *See* Fed. R. Civ. Proc. 16(b)(3).

**CERTIFICATE OF SERVICE**

I certify that on February 4, 2016, I electronically transmitted the foregoing **ORACLE'S  
REPLY IN SUPPORT OF ITS MOTION FOR LEAVE TO SUPPLEMENT ITS MOTION  
FOR COSTS AND ATTORNEYS' FEES** to the Clerk's Office using the Electronic Filing  
System pursuant to Special Order No. 109.

Dated: February 4, 2016

Morgan, Lewis & Bockius LLP

By: /s/ Thomas Hixson  
Thomas Hixson

Attorneys for Plaintiffs  
Oracle USA, Inc.,  
Oracle America, Inc. and  
Oracle International Corporation